



General Assembly

January Session, 2005

Amendment

LCO No. 7430

SB0012407430SR0

Offered by:

SEN. FREEDMAN, 26th Dist.

REP. BOUCHER, 143rd Dist.

To: Subst. Senate Bill No. **124**

File No. 403

Cal. No. 326

(As Amended)

"AN ACT CONCERNING THE MEDICAL USE OF MARIJUANA."

1 Strike subdivisions (3) and (4) of subsection (a) of section 2 in its
2 entirety and substitute the following in lieu thereof:

3 "(3) The combined amount of marijuana possessed by the qualifying
4 patient and the primary caregiver for medical use does not exceed one
5 ounce of usable marijuana; and

6 (4) The cultivation of such marijuana occurs in a secure indoor
7 facility under the control and supervision of the Department of
8 Agriculture for delivery to a pharmacy to fill a prescription."

9 Strike subsection (c) of section 2 in its entirety and substitute the
10 following in lieu thereof:

11 "(c) A qualifying patient shall have not more than one primary
12 caregiver at any time. A primary caregiver may not be responsible for

13 the care of more than one qualifying patient at any time. A primary
14 caregiver who is registered in accordance with subsection (a) of section
15 3 of this act shall not be subject to arrest or prosecution, penalized in
16 any manner, including, but not limited to, being subject to any civil
17 penalty, or denied any right or privilege, including, but not limited to,
18 being subject to any disciplinary action by a professional licensing
19 board, for the acquisition, distribution, possession or transportation of
20 marijuana or paraphernalia related to marijuana on behalf of a
21 qualifying patient, provided the amount of any marijuana so acquired,
22 distributed, possessed or transported, together with the combined
23 amount of marijuana possessed by the qualifying patient and the
24 primary caregiver, shall not exceed one ounce of usable marijuana. For
25 the purposes of this subsection, "distribution" or "distributed" means
26 the transfer of marijuana and paraphernalia related to marijuana from
27 the primary caregiver to the qualifying patient."

28 Strike section 8 in its entirety and substitute the following in lieu
29 thereof:

30 "Sec. 8. (NEW) (*Effective October 1, 2005*) Any marijuana,
31 paraphernalia relating to marijuana, or other property seized by law
32 enforcement officials from a qualifying patient or a primary caregiver
33 in connection with a claimed medical use of marijuana under sections
34 1 to 9, inclusive, of this act shall be returned to the qualifying patient or
35 the primary caregiver immediately upon the determination by a court
36 that the qualifying patient or the primary caregiver is entitled to the
37 medical use of marijuana under sections 1 to 9, inclusive, of this act, as
38 evidenced by a decision not to prosecute, a dismissal of charges or an
39 acquittal. This section does not apply to any qualifying patient or
40 primary caregiver who fails to comply with the requirements for the
41 medical use of marijuana under sections 1 to 9, inclusive, of this act."